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Practitioner's Docket No. 17396/09015

PATENT
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APR 28 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Maurice R. De Billot, Schalk Van Wyk, Theunis M. Odendaal, Dennis Paul
Phillion, Jeffrey S. Coultas, Ernest F. Sanders, Greg A. Penner, Jawed Asrar, and
Michael K. Stern

PETITIONS OFFICE

Application No.: 10/026,301

Group No.: 1616

Filed: December 19, 2001

Examiner: Pryor, Alton N.

For: METHOD OF IMPROVING YIELD AND VIGOR OF PLANTS

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APR 28 2003
PETITIONS OFFICE

Commissioner for Patents
Washington, D.C. 20231

**PETITION TO REVIVE APPLICATION ABANDONED FOR FAILURE TO
NOTIFY OFFICE OF FOREIGN FILING
(37 C.F.R. § 1.137(f))**

1. This application was filed initially with a request for nonpublication because there was no intention at that time to file an application for the subject matter of this invention in a foreign country or under a multinational treaty which requires publication of the application eighteen months after the filing.
2. An application for the subject matter of this invention was filed in the below-listed countries on the following dates:
 - Filed in Paraguay on December 17, 2001;
 - Filed in Argentina on December 21, 2001;
 - Filed in Chile on December 21, 2001;
 - Filed in Bolivia on December 21, 2001;
 - Filed as Patent Cooperation Treaty Application on December 20, 2001.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231
37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (703) 308-6916.


Signature

Date: April 28, 2003

Anna A. Von

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

3. No notification of these foreign filings within the 45 day period required by 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(c) has been made.
4. Applicant hereby petitions, in accordance with 37 C.F.R. § 1.137(f) for the revival of this application.
5. Applicant declares that the entire delay from the due date for notifying the Office of the foreign filings until the filing of this petition was unintentional.
6. Outstanding matters for this application:

a reply has been made for other outstanding matters on April 23, 2003.

7. Payment of petition fee:

The petition fee of \$1,300.00 under § 1.17(m) (other than a small entity) is paid as follows:

Authorization is hereby made to charge the amount of \$1,300.00 to Deposit Account No. 50-2548.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

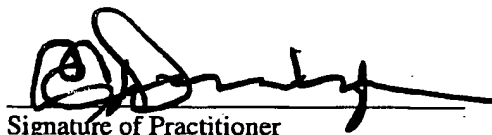
A duplicate of this paper is attached.

Date:

April 28, 2003

Reg. No.: 35,124

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Signature of Practitioner

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